

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the use of a food store with less than 5,000 square feet in combination with an existing service station under Section 405.4 (D.8)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

(Lessee)

Shell Oil Company

(Type or Print Name)

Signature

5565 Sterrett Place

Address

Columbia, Maryland 21044

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Equitable Life Assurance Soc. of the U.S.

(Type or Print Name)

Signature

Address

City and State

Signature

Name, address and phone number of legal owner, owner's agent, or representative to be contacted:

Steve McCalmont, c/o Lyon Associates

7131 Rutherford Road

Baltimore, Md. 21207

Address

City and State

Phone No.

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of July, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of August, 1984, at 10:30 o'clock.

Cal J. J. J.
Zoning Commissioner of Baltimore County.

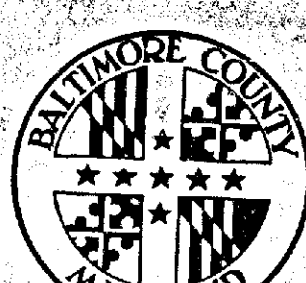
B.C.O.-No. 1

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner

Date: August 10, 1984

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 85-56-X

This office is not opposed to the granting of the subject request; however, particular attention should be given to the requirements set forth in the Division of Current Planning and Development's comment to the Zoning Plans Advisory Committee.

NEG/JGH/sf

Norman E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 16, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. R. M. Tambascio
Shell Oil Company
5565 Sterrett Place
Columbia, Maryland 21044

RE: Item No. 356 - Case No. 85-56-X
Equitable Life Assurance Soc. U. S.
Special Exception Petition

Dear Mr. Tambascio:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Jr.
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Lyon Associates
7131 Rutherford Road
Baltimore, Md. 21207
Steve McCalmont

85-56-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of July, 1984.

Equitable Life Assurance
Zoning Commissioner
Petitioner's Society of U. S.
Petitioner's
Attorney: Nicholas B. Commodari, Jr.
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

L-SE Key Sheet
6 NW 23 Pos. Sheet
NW 2 P Topo
95 Tax Map

July 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #356 (1983-1984)
Property Owner: Equitable Life Assurance
Soc. of the U. S.
N/W cor. Security Blvd. and Woodlawn Dr.
Acres: 0.709
District: 1st

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments, which were supplied for this property in conjunction with the Zoning Advisory Committee review for Item 259 (1975-1976) are referred to for your consideration.

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 356 (1983-1984).

Very truly yours,
Gilbert S. Benson, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FWR:iss

Encls.

August 3, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #259 (1975-1976)
Property Owner: Shell Oil Company
N/W cor. Security Blvd. and Woodlawn Dr.
Existing Zoning: RM - CDD
Proposed Zoning: Variance for area of free-standing to be 112 sq. ft. in lieu of the required 100 sq. ft.
District: 1st

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved. The construction or reconstruction of sidewalk, curb and gutter, entrances, aprons, etc. as may be required, will be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #259 (1975-1976).

Very truly yours,
Ellsworth N. Oliver, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:iss

L-SE Key Sheet
6 NW 23 Pos. Sheet
NW 2 P Topo
95 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 7/13/84
Item # 356
Property Owner: Equitable Life Assurance Soc. of U. S.
Location: NW 2 P Security Blvd. & Woodlawn Dr.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-96 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board.
- ☒ Landscaping must be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is shown on the map.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. T-285

THIS IS PART OF A SHOPPING CENTER AND A COPY OF THE OVERALL PLAN MUST BE SUBMITTED.

Eugene A. Bober
Chief, Current Planning and Development

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Special Exception



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
410-3510

TED ZALESKI JR.
DIRECTOR

Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Comments on Item # 356 Zoning Advisory Committee Meeting

are as follows:

Property Owner: Equitable Life Assurance Soc. of the U.S.

Location: Security Blvd & Woodlawn Drive

Existing Zoning: BM CCC

Proposed Zoning: Special Exception for the use of food store with less than 5,000 sq. ft. with an existing service station

Acres: 1st

Remarks: The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/

Comply with the State of Maryland Code for the Handicapped and Aged and other applicable Codes.

B. A building and other miscellaneous permits shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 1401, Line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code, Section's _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed complies with the height/area requirements of Table 505 and the required construction classification of Table 1401.

I. Comments: Should the Building Be prefabricated they shall bear a State Seal for Industrialized Bldg's

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CEB:rvj

FOUR 01-82



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 345, 356, 357, 358, 359, 360, 361 ZAC-Meeting of July 3, 1984

Property Owner: _____

Location: _____

Existing Zoning: _____

Proposed Zoning: _____

Acres: _____

District: _____

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 345, 356, 357, 358, 359, 360 and 361.

MSF/can

Michael S. Flanigan
Traffic Engineering Assoc. II

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE ZONING COMMISSIONER

NW/Corner Security Blvd. and Woodlawn Dr., 2nd District : OF BALTIMORE COUNTY

EQUITABLE LIFE ASSURANCE SOC. : Case No. 85-56-X

OF THE U. S., Petitioner : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 8th day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to H. L. Johnston, Asst. Regional Property Manager, Equitable Life Assurance Society of the U. S., 1375 Eye Street, N. W., Washington, D. C. 20006, Petitioner; Shell Oil Company, 5565 Sterrett Place, Columbia, MD 21044, Lessee; and Mr. Steve McCalmont, c/o Lyon Associates, 7131 Rutherford Rd., Baltimore, MD 21207, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Equitable Life Assurance Soc. of the U.S.

Location: NW/Cor. Security Blvd. and Woodlawn Drive

Item No.: 356

Zoning Agenda: Meeting of July 3, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

(x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

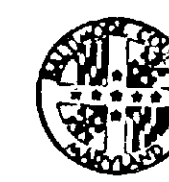
() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] 7-14-84 Approved: [Signature] Fire Prevention Bureau

Planning Group Special Inspection Division

/mb * See attached sheet.



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

November 16, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 85-56-X

EQUITABLE LIFE ASSURANCE SOC. OF THE U. S.

NW/Corner Security Blvd. and Woodlawn Drive

1st District

SE-The use of a food store with less than 5,000 sq. ft. in combo. w/existing service station

ASSIGNED FOR:

cc: H. L. Johnston

R. M. Tambascio

Steve McCalmont

Walter J. Caton, Sr.

W. Bell Merchants Association

Phyllis C. Friedman

N. E. Gerber

J. Hoswell

A. Jablon

J. Jung

J. E. Dyer

John O. Seiland, Esquire

Counsel for Lessee (Shell Oil Co.)

Entered 1/28/85 - Notice sent "

Page -2-

Zoning item #356

Zoning Agenda 7/3/84

All self-service stations shall have at least one attendant on duty while station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquors while said liquids are actually being dispensed according to NFPA 30, section 7-7.4.3.

W. BELL SHOPPING PLAZA

Phone: 944-1221

Baltimore County Maryland

Zoning Department

Room # 109

On behalf of the W. Bell Merchants Association, we wish to appeal the decision on case # 85-56x, as there was no notice posted until sometime in September 1984.

If in fact there was a sign posted, it was not posted where it is now posted, where it could be seen easily; Not until September.

SEP 21 AM

Walter J. Caton, Sr.
Vice-President
W. Bell Merchants Association

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 134358

DATE 9/26/84

ACCOUNT R-01-515-000

AMOUNT \$105.00

PAID TO W. Bell Shopping Plaza

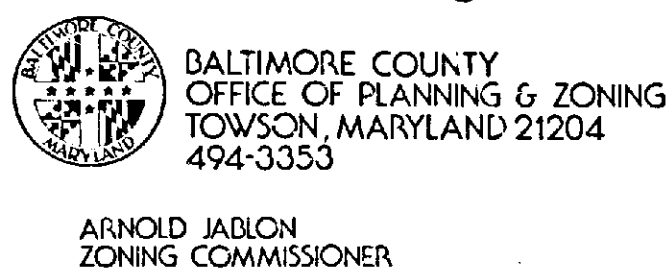
FOR Appeal of Case No. 85-56-X

(Equitable Life Assurance Soc. of the U.S.)

6 04700001050010 82748

VALIDATION OR SIGNATURE OF CASHIER

JUL 31 1984



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 27, 1984

Mr. H.L. Johnston
Assistant Regional Property Manager
Equitable Life Assurance Soc. of the U.S.
1875 Eye Street, N.W.
Washington, D.C. 20006

RE: Petition for Special Exception
NW/cor. Security Boulevard
and Woodlawn Drive
Equitable Life Assurance Soc. of the U.S. -
Petitioner
Case No. 85-56-X

Dear Mr. Johnston:

Please be advised that an appeal has been filed by the Protestants,
W. Bell Merchants Association, from the decision rendered by the Zoning
Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when
it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:ech

cc: Mr. R. M. Tambascio
Shell Oil Company
5565 Sterrett Place
Columbia, Maryland 21044

Mr. Steve McCalmont
Lyon Associates
7131 Rutherford Road
Baltimore, Maryland 21207

People's Counsel

IN RE: PETITION FOR
SPECIAL EXCEPTION
NW/cor. Security Boulevard
and Woodlawn Drive
1st Election District
Equitable Life Assurance Soc. of
the U.S.,
Petitioner
* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No. 85-56-X

Entry of Appearance

Please enter my appearance as a party in the above captioned matter,
pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all
notices be forwarded to my office, including but not limited to hearing dates
and/or preliminary or final Orders.

Arnold Jablon
Arnold Jablon
Zoning Commissioner of Baltimore
County
Room 109 - 111 West Chesapeake Avenue
Towson, Maryland 21204
494-3353

Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 27th day of September

1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid,

by first class delivery to the County Attorney of Baltimore County, People's

Counsel for Baltimore County, Petitioner(s) and/or Protestants in the above
captioned matter.

Arnold Jablon
Arnold Jablon

Shell Oil Company
c/o R. M. Tambascio
5565 Sterrett Place
Columbia, Maryland 21044

July 30, 1984

NOTICE OF HEARING

Re: Petition for Special Exception
NW/cor. Security Blvd. & Woodlawn Dr.
Equitable Life Assurance Soc. of the U.S. -
Petitioner
Case No. 85-56-X

TIME: 10:30 A.M.

DATE: Monday, August 27, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

cc: Steve McCalmont
c/o Lyon Associates
7131 Rutherford Road
Baltimore, Maryland 21207

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130532

DATE: 8/19/84 ACCOUNT: R01-615-000

AMOUNT: 100.00

RECEIVED FROM: Lyon Associates, Inc.

FOR: 85-56-X

6 075*****000010 8132A

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-56-X

District: 2nd Date of Posting: 8-19-84

Posted for: Special Exception

Petitioner: Equitable Life Assurance Soc. of the U.S.

Location of property: NW/cor. Security Blvd. & Woodlawn Dr.

Location of Signs: NW/cor. Security Blvd. & Woodlawn Dr.

Remarks:

Posted by: *Arnold Jablon* Date of return: 8-17-84

Number of Signs: 1

Petition for Special Exception
2nd Election District
Coring: Petition for Special Exception
Location: Northwest, Corner Security
Boulevard and Woodlawn Drive
Date & Time: Monday, August 27, 1984 at
10:30 A.M.
Public Hearing: Room 106, County Office
Building, 111 West Chesapeake Avenue,
Towson, Maryland

CERTIFICATE OF PUBLICATION

57831

Pikesville, Md., Aug. 8, 1984

IFY, that the annexed advertisement

n the NORTHWEST STAR, a weekly

shed in Pikesville, Baltimore

d before the 27th day of

1984

ation appearing on the

ay of Aug. 19, 1984

the second publication appearing on the

day of 19

the third publication appearing on the

day of 19

THE NORTHWEST STAR

Charles McCallister
Manager

Cost of Advertisement \$20.00

PETITION FOR SPECIAL
EXCEPTION
2nd Election District
Coring: Petition for Special
Exception
Location: Northwest, Corner Security
Boulevard and Woodlawn Drive
Date & Time: Monday, August 27, 1984 at 10:30 A.M.
Public Hearing: Room 106, County Office
Building, 111 West Chesapeake Avenue,
Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 9, 1984

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., appearing on

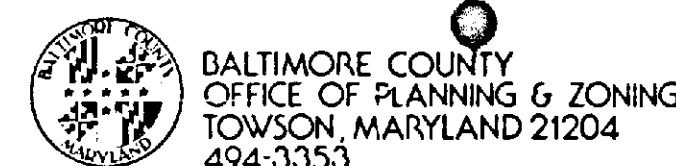
August 9, 1984.

THE JEFFERSONIAN,

JB Kentel

Publisher

Cost of Advertising 22.00



ARNOLD JABLON
ZONING COMMISSIONER

August 23, 1984

Lyon Associates
c/o Steve McCalmont
7131 Rutherford Road
Baltimore, Maryland 21207

Re: Petition for Special Exception
NW/cor. Security Blvd. & Woodlawn Dr.
Equitable Life Assurance Soc. of the U.S., Petitioner
Case No. 85-56-X

Dear Sir:

This is to advise you that \$47.00 is due for advertising and posting
of the above property.

This fee must be paid and our zoning sign and post returned on the day
of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and
remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building,
Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133269

DATE: 8-29-84 ACCOUNT: 01-615-000

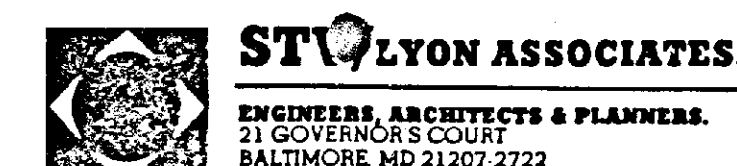
AMOUNT: 47.00

RECEIVED FROM: Lyon Associates

FOR: Posting + adm - 85-56-X

6 644*****676010 8296F

VALIDATION OR SIGNATURE OF CARRIER



ENGINEERS, ARCHITECTS & PLANNERS

21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112

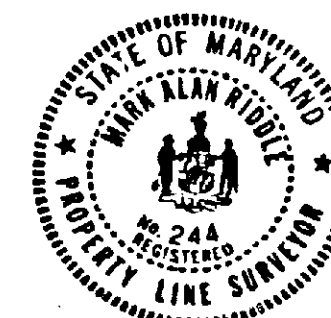
ZONING DESCRIPTION
EXISTING SHELL SERVICE STATION
NW/cor. of SECURITY BOULEVARD AND WOODLAWN DRIVE

BEGINNING FOR THE SAME at a point located along the Northern right-
of-way line of Security Boulevard at the intersection of Security
Boulevard and Woodlawn Drive; thence running with and binding on the
Northern right-of-way line of Security Boulevard South 82°19'46" West
150.00 feet; thence leaving said right-of-way line North 04°01'13"
East 150.00 feet; thence North 68°04'59" East 186.64 feet to a point
on the West side of Woodlawn Drive; thence running with and binding
on the Western right-of-way line of Woodlawn Drive by a curve to the
right having a radius of 1,060.00 feet, an arc length of 120.00 feet,
said curve being subtended by a chord bearing South 04°01'08" East
119.93 feet to a point of compound curvature; thence by a fillet
curve to the right having a radius of 92.00 feet, an arc length of
95.04 feet, said curve being subtended by a chord bearing South 28°
49'04" West 90.87 feet to the place of beginning.

Containing in all 30,892.92 square feet or 0.709 acres of land, more
or less.

Mark A. Riddle
Mark A. Riddle
Md. Reg. P.L.S. No. 244

6-26-84
Date



David Livingston
Hwy #356
7/25/84

STY ENGINEERS, Architects, Planners, Construction Managers, Professional Member, Firms
STY/Architects, STY/Engineers, STY/Planners, STY/Construction Managers, STY/Professional Members, STY/
H. D. Notingham & Associates, STY/Sanders & Thomas, STY/Servino, STY/Seymour, STY/Seymour, STY/Seymour, STY/Seymour

PETITION FOR SPECIAL EXCEPTION
2nd Election District

ZONING: Petition for Special Exception
LOCATION: Northwest corner Security Boulevard and Woodlawn Drive
DATE & TIME: Monday, August 27, 1984 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for the use of a food store with less than 5,000 sq. ft. in combination with an existing service station under Section 405.4 (D.8)

Being the property of Equitable Life Assurance Soc. of the U.S., as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION SPECIAL EXCEPTION
NW/Cor Security Boulevard
and Woodlawn Drive - 1st
Election District
Equitable Life Assurance Soc.
of the U.S.,
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-56-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a food store with less than 500 square feet of retail sales in combination with an existing service station, as more fully described on Petitioner's Exhibit 1.

Shell Oil Company, the lessee, by Michael Kovin, a designer for Lyon Associates, appeared on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the property is zoned B.M.-C.C.C. The site presently has an existing service station, and the lessee wishes to renovate the station by relocating the gas islands and constructing a 20' X 40' mini-market. The three existing islands, one with a 6' X 12' kiosk, would be replaced by two 5' X 28' pump islands, with two dispensers.

The area where the site is located is extensively commercial.

The building is comparatively small and would only minimally serve those utilizing the gas station. Mr. Kovin testified that there will be no expected increase in traffic generated by the proposed addition of the market. Indeed, the market could not exist without the gas sales. There will be no changes to the existing entrances, nor any impact on stacking, which is accommodated easily on this large site.

The Petitioner seeks relief from Section 405.4.D.8, pursuant to Section 402.1, Baltimore County Zoning Regulations (BCZR).

It is clear that the zoning regulations permit the use requested by the Petitioner in a B.M.-C.C.C. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed use. Therefore, it must first be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community

not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1984, that the Petition for Special Exception for a food store with less than 500 square feet of retail sales in combination with an existing service station be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. A detailed landscaping plan must be submitted to the Office of Current Planning pursuant to the Baltimore County Landscaping Manual.
3. A copy of the overall shopping center plan, of which this site is a part, must be submitted to the Office of Current Planning.

[Signature]
Zoning Commissioner
of
Baltimore County

AJ:ecb

cc: Equitable Life Assurance Soc. of the U.S.

People's Counsel

Shell Oil Company

Mr. Steve McCalmont, c/o Lyon Associates

ORDER RECEIVED FOR FILING

DATE August 30, 1984
BY Mary Langley
of Baltimore County

ORDER RECEIVED FOR FILING

DATE August 30, 1984
BY Mary Langley
of Baltimore County

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September 27, 1984

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Old Court House
Towson, Maryland 21204

RE: Case No. 85-56-X
Equitable Life Assurance
Soc. of the U.S.,
Petitioner

Dear Mrs. Friedman:

Thank you for your letter dated September 26, 1984 as to the above-referenced matter.

Notwithstanding the potential impropriety alleged by Mr. Caton, I believe his appeal, in effect, will cure all errors that may have occurred before me upon the County Board of Appeals' hearing of the case. See Boehm v. Anne Arundel County, 459 A.2d 500, 599 (1983). If no appeal had been entered or if the appeal now filed should be dismissed before the de novo hearing is held, I would agree to reopen the case in order to insure that there had been compliance with the procedural requirements of notice.

At this point, the de novo hearing before the Board will provide Mr. Caton every opportunity to vent his opposition to the special exception requested by the Petitioner. Parenthetically, our records show that the sign was posted on August 10, 1984.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/ar1



BALTIMORE COUNTY, MARYLAND
PEOPLE'S COUNSEL
OLD COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
PEOPLE'S COUNSEL

PETER MAX ZIMMERMAN
DEPUTY PEOPLE'S COUNSEL

September 26, 1984

The Honorable
Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Equitable Life Assurance Soc. of the
U.S., Zoning Case No. 85-56-X

Dear Arnold:

A Mr. Walter Caton, Sr., who is a representative of the W. Bell Merchants Assn. located in the shopping center where the above-referenced property is situated has contacted me and stated that no sign was posted for the petition for special exception prior to the hearing on Monday, August 27, 1984. He states that the first he knew of this matter was on September 16, 1984 when a sign appeared.

Although Mr. Caton has noted an appeal from your decision, in view of the procedural defect, I wondered whether you might prefer to take the case back for rehearing on the theory that there has been fraud, mistake, or irregularity. Mr. Caton has stated that he would be willing to file an affidavit and that there are others who can corroborate the absence of the sign.

Very truly yours,

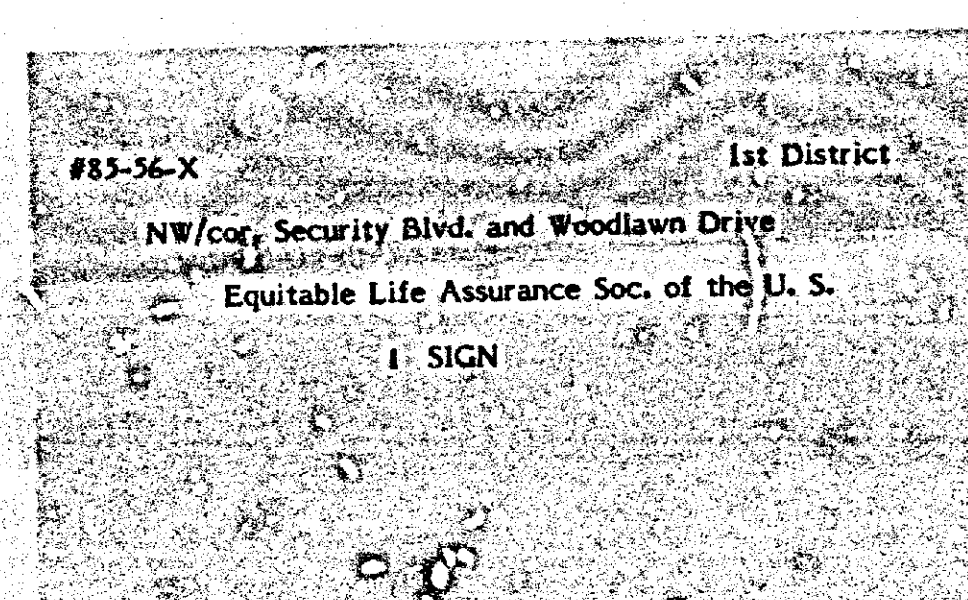
[Signature]
Phyllis
Phyllis Cole Friedman
People's Counsel for Baltimore County

PCF:sh

cc: Mr. Walter Caton, Sr.
6630 Security Blvd.
Baltimore, MD 21207

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

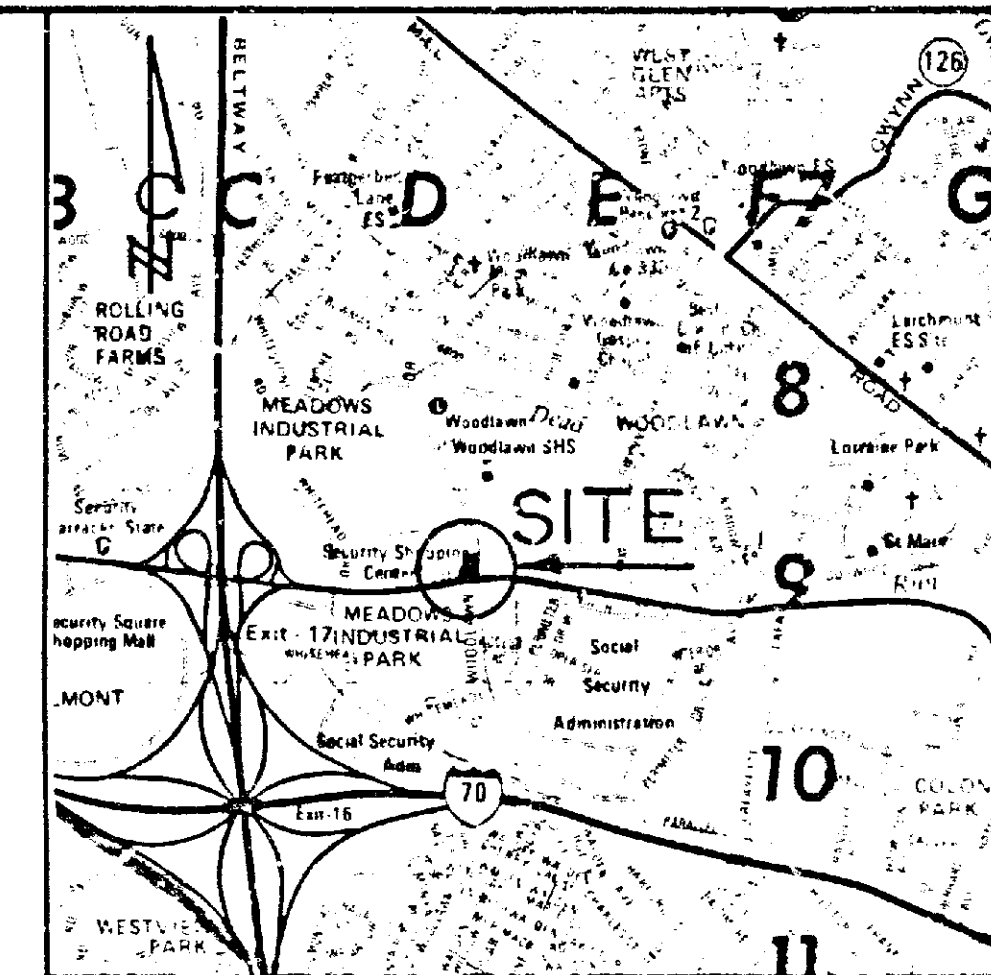
District 1st
Posted for: Appeal
Petitioner: Equitable Life Assurance Soc. of the U.S.
Location of property: NW/Cor. of Security Blvd. and Woodlawn Dr.
Location of Sign: NW/Cor. Security Blvd. and Woodlawn Dr.
Remarks:
Posted by: *[Signature]* Date of return: 10-4-84
Number of Signs: 1



11/16/84 - Following were notified of hearing set for Thurs. Jan. 31, '85, at 10 a.m.:

H. Johnston
R. Tambascio
S. McCalmont
Walter J. Caton, Sr.
P. Friedman
N. Gerber and J. Hoswell
A. Jablon, J. Jung, J. Dyer

[Signature]
Mr. Burton Herring
Eq. Life Assurance Soc.
He represents company in
Blt. office
944-8900



LOCATION MAP
Scale: 1" = 2000'

NOTES:

1. BEARINGS SHOWN ARE BASED ON DEEDS OF RECORD AND PLAT OF "MEADOWS INDUSTRIAL PARK" E.H.K., JR. 45-137.
2. ELEVATIONS SHOWN ARE BASED ON ASSUMED ELEVATION F.F.L. OF KIOSK. ELEV. 100.00.
3. UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN MADE BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION GIVEN. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO COMMENCING WORK.
4. UTILITY COMPANIES:
CHESAPEAKE & POTOMAC TELEPHONE COMPANY
320 ST. PAUL STREET, BALTIMORE, MD. 21202
BALTIMORE GAS & ELECTRIC COMPANY
LEXINGTON & LIBERTY STREETS, BALTIMORE, MD. 21202
5. ZONED: BM-CCC
6. OWNER: EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES E.H.K., JR. 5423-914
7. LEASE TO: SHELL OIL COMPANY R.R.G. 4173-109
8. PROPOSED ZONING: NO CHANGE BUT WITH A SPECIAL EXCEPTION UNDER SECTION 405.4 DB TO PERMIT A FOOD STORE (LESS THAN 5,000 SF) IN COMBINATION WITH A SERVICE STATION.
9. AREA REQUIREMENTS:
TWO DISPENSER ISLANDS WITH TWO MPD'S EACH. EACH ISLAND CAPABLE OF SERVING FOUR CARS AT ONE TIME.
TOTAL SERVICING SPACES = 8
TOTAL SERVICING BAYS = 0
TOTAL SPACES AND BAYS = 8
TOTAL AREA REQUIRED = 8 X 1,500 SF = 12,000 SF (USE 15,000 SF MIN.)
TOTAL WAITING SPACES = 8
10. ANCILLARY USES: NONE
11. COMBINATION USES:
FOOD STORE SALES (MINI MARKET)
ADDITIONAL SQUARE FOOTAGE = FACTOR 4 X 800 SF = 3,200 SF
12. TOTAL AREA REQUIRED = 15,000 SF + 3,200 SF = 18,200 SF
TOTAL AREA OF TRACT = 30,884 OR 0.709 AC ±
13. ACCESS POINTS:
NUMBER OF DRIVEWAYS ON MAJOR STREET = 2
REQUIRED SITE WIDTH = 130
ACTUAL SITE WIDTH = 192
14. LANDSCAPING:
LANDSCAPING REQUIRED (5% OF SITE) = 1,544 SF
LANDSCAPING PROVIDED = 2,350 SF
15. PARKING:
PARKING SPACES REQUIRED = 1 PER 200 SF OF GROSS FLOOR AREA = 4
PARKING SPACES PROVIDED = 5 (INCLUDING ONE HANDICAPPED)
16. AREA DISTURBED BY NEW CONSTRUCTION = 1,300 SF ±

PETITIONER'S
EXHIBIT 1



ZONING PLAN



LYON ASSOCIATES, INC.
Engineers Surveyors Planners
7131 Rutherford Road, Baltimore, Maryland 21207
Telephone: 301-944-9112

REVISIONS

NO.	DATE	DESCRIPTION
1	4/9/84	REV. PER SHELL OIL COMMENTS

SURVEYOR'S CERTIFICATION

I, MARK A. RIDDLE, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN SURVEYED BY LYON ASSOCIATES, INC., AND TO THE BEST OF MY KNOWLEDGE MEETS ALL OF THE REQUIREMENTS AS CONTRACTED FOR BY SHELL OIL COMPANY R.R.G. 4173-109.
DATE: 4/9/84
MARK A. RIDDLE, L.S. NO. 244

PLAN PREPARATION

DRAWN BY: MH PORTS	DATE: APRIL 9, 1984
DESIGNED BY: S. McCALMONT	SCALE: 1" = 20'
CHECKED BY:	



SHELL OIL COMPANY
HOUSTON, TEXAS

NW COR. SECURITY BLVD. & WOODLAWN DR.
ELECT. DIST. 1 BALTO. CO., MD

DRAWING NO.
7429-50-008

SHEET NO.
1 of 1

